

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:14-CV-363**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ANDREW M. PETERSON,)
and)
NICOLE A. PETERSON,)
)
Defendants.)

)

FINAL ORDER
(By Consent of All Parties)

This matter is before the Court on a consent motion by all parties for entry of a Final Order and Judgment. The United States filed this action against Defendants seeking civil penalties pursuant to the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (“FIRREA”), 12 U.S.C. §1833a. The parties hereto have settled all claims and issues in this matter and have requested the court to enter Final Order and Judgment in accordance with the stipulations and agreements in their motion.

All parties to this action consent to the entry of this Final Order and a Judgment, waive any further findings of fact or conclusions of law other than what is set forth in this Final Order, waive all rights of appeal from this Final Order and the Judgment, and agree each to bear their own costs and attorneys’ fees related to this action.

Wherefore, upon the consent of the parties, **IT IS HEREBY ORDERED JUDGED AND DECREED**, that

1. This stipulations and agreements of the parties in the joint motion filed July 1, 2014 are hereby incorporated into this Final Order and the Judgment.
2. The Court finds that the Defendants admit only proper service of the complaint and summons and the jurisdiction of this court in this matter and neither admit nor deny any other allegation of the complaint.
3. The Defendants stipulate and agree to the entry of a judgment against them whereby they will be required to pay to the United States of America civil penalties pursuant to 12 U.S.C. § 1833a in the following amounts:

Defendant Andrew M. Peterson – Seventy Thousand Dollars (\$70,000.00)

Defendant Nicole A. Peterson – Five Thousand Dollars (\$5,000.00)

4. Within sixty (60) days of the entry of a final order in this matter the Defendants shall pay the civil penalties mentioned above by checks payable to “The United States” and delivered by certified U.S. Mail or any express delivery service to:

United States Attorney
Financial Litigation Unit
Suite 1700 Carillon Building
227 West Trade Street
Charlotte, NC 28202

5. The civil penalties to be paid pursuant to this stipulation and agreement and any order or judgment in this case cannot be discharged in bankruptcy. *See* 11 U.S.C. § 523(a)(7).

6. The Defendants shall not seek any loan from Branch Banking & Trust Company (BB&T), Paramount Lending, LLC, Flagstar Bank, or Truliant Federal Credit Union for a period of five years from the entry of the Final Judgment in this case.
7. The filing of the motion, the entry of this Final Order and Judgment in this case, and any act performed in compliance with the terms of this Final Order and Judgment shall not constitute or be construed as an admission by either Defendant of a violation of any law, regulation, or policy.
8. The parties are each to bear their own costs and attorney's fees with regard to this matter.
9. The Clerk is directed to enter a judgment in favor of the United States of America consistent with this Final Order.

Signed: July 30, 2014



Graham C. Mullen
United States District Judge

